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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention
of Discrimination and
Protection of Minorities
Forty-seventh session
Agenda item 4

REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN CONCERNED

Written statement submitted by Sierra Club Legal Defense Fund, Inc., a non-governmental organization in consultative status (Category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[3 August 1995]

Human rights and the environment

1. The Sierra Club Legal Defense Fund makes this statement to emphasize the continuing importance of the Sub-Commission addressing human rights problems that flow from or otherwise relate to environmental degradation. Harm and threatened harm to the environment continue to raise human rights concerns - from the operation of the Gabcikovo Dam on the Danube River, to the destruction of rain forests in Latin America, to the planned resumption of nuclear tests by France in the South Pacific.

2. At the forty-sixth session last year, the Sub-Commission had before it the final report of the Special Rapporteur on human rights and the environment (E/CN.4/Sub.2/1994/9 and Corr.1), in which the Special Rapporteur recommended, inter alia, that a special rapporteur of the Commission on Human Rights should be appointed with a mandate similar to that generally

given to special rapporteurs on thematic questions (para. 260). The Sub-Commission welcomed especially the Special Rapporteur's recommendations in its resolution 1994/27 of 26 August 1994, adopted without a vote.

3. At its fifty-first session, held this year, the Commission on Human Rights adopted resolution 1995/14 on human rights and the environment, in which it requested the Secretary-General to submit to the Commission at its fifty-second session a report containing the opinions of Governments, specialized agencies and intergovernmental and non-governmental organizations on the issues raised in the report of the Sub-Commission's Special Rapporteur.

4. The Sierra Club Legal Defense Fund supports the Commission's initiative and encourages all interested entities, including the Sub-Commission, to submit their opinions to the Secretary-General. In particular, the Legal Defense Fund urges the Sub-Commission to call on the Commission, as the Sub-Commission did last year, to appoint a special rapporteur on human rights and the environment and to publish and disseminate the final report of the Sub-Commission's Special Rapporteur on human rights and the environment.

5. The Legal Defense Fund fully endorses Commission resolution 1995/81 on the adverse effects of the illicit movement and dumping of toxic and dangerous products and wastes on the enjoyment of human rights. The Legal Defense Fund strongly supports the Commission's decision to appoint a special rapporteur to investigate and examine the effects of the illicit dumping of toxic wastes on the enjoyment of human rights, to investigate, monitor, examine and receive communications and to make recommendations and proposals on measures to control, reduce and eradicate the practice. The Commission's action confirms the importance of the Sub-Commission's work on the linkage between human rights and the environment.

6. In addition, the Legal Defense Fund notes the recognition of the draft declaration of principles on human rights and the environment (E/CN.4/Sub.2/1994/9, annex I) as a standard-setting activity (E/CN.4/1995/81, para. 14). The Legal Defense Fund expresses its continued hope that the Sub-Commission will monitor development of the draft declaration of principles as the basis for the eventual adoption of an international instrument on human rights and the environment.

7. Finally, the Legal Defense Fund wishes to reiterate as forcefully as possible its commitment to pursuing protection of human rights and the environment through the United Nations human rights system, as well as in other appropriate forums. While other United Nations agencies and non-United Nations entities should incorporate environmental human rights into their work, the United Nations human rights system remains uniquely placed to facilitate the development of universal standards on environmental human rights and to provide mechanisms to facilitate implementation and enforcement of those standards and to address the needs of victims.

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